

REMARKS

Claims 1, 3-7, 11-19, 21-22, 24-26, 28-31, 34-43 are pending. The Examiner is thanked for indicating that claims 10 and 14 were directed to allowable subject matter.

The Examiner objected to Figure 3. Applicant previously submitted a replacement sheet for Figure 3, in an Amendment submitted on May 20, 2004. Applicant believes Figure 3 may have been misfiled or misplaced by the Patent Office. In any event, Applicant concurrently submits a replacement sheet for Figure 3. If the Examiner's objection is based on a formality that needs to be corrected in Figure 3, Applicant requests a telephone conference with the Examiner so that any objection may be expeditiously addressed.

Claim 1 has been amended to include the limitations of claim 10, except that Applicant has moved the limitation that the first plurality of portions of data include audio and video data to a dependent claim. Applicant submits that claim 1 as amended is allowable because the cited art does not, alone or in combination, teach or suggest "the relative timing between portions of data in the received stream of data and in the alternative output stream is maintained so that a fixed latency is provided between the portions of data in the received stream of data and the output of those selected portions of data, said portions of data received by the device occurring within the data packets, and said means for identifying the information has an output for controlling the timing of the output of the selected data by said second output means," as recited. Claims 3-7, 11-15, 21, and 37 depend from claim 1. Amendments have been made to claims 3-4 and 14 to account for the fact that intervening claims were canceled and to address an antecedent basis issue arising from a previous amendment. New claim 37 is similar to previously canceled claim 20. Accordingly, Applicant respectfully submits that claims 1, 3-7, 11-15, 21 and 37 are allowable.

Independent claims 16, 17, 22, 26 and 30 have been amended to include limitations similar to those of claim 1, as amended. Claims 34-36 and 38 depend from claim 16, claims 18-19 depend from claim 17, claims 24 and 25 depend from claim 22, claims 28 and 29 depend from claim 26, and claims 31 and 39 depend from claim 30. Claims 34 and 35 have been amended to account for the fact that an intervening claim was canceled. Accordingly, Applicant

respectfully submits that claims 16-19, 22, 24-26, 28-31, 34-36, and 38-39 are allowable for reasons similar to the reasons claim 1 is allowable.


Claim 14, prior to amendment, has been restated in independent form as new claim 40, except that Applicant have moved the limitation that the first plurality of portions of data include audio and video data to a dependent claim and have addressed an antecedent basis issue arising from a previous amendment. Applicant submit that new claim 40 is allowable because the cited art does not, alone or in combination, teach or suggest "a state machine coupled to the means for identifying data packets and the means for storing the second plurality of portions of data, and configured to output the alternative output stream so as to maintain relative timing between portions of data in the received stream of data and in the alternative output stream," as recited. New claims 41-43 depend from claim 40. Accordingly, Applicant respectfully submits that claims 40-43 are allowable.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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TLB:rg

Enclosure:

Postcard

1 Sheet of Replacement Drawings (Figure 3)

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**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Figure 3. This sheet, which includes Fig. 3, replaces the original sheet including Fig. 3.

Attachment: Replacement Sheet